

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES - GENERAL

Case No. **CV 23-3129-FMO (JCx)** Date **July 24, 2023**Title **Mariano Benitez v. Momentum Capital Group, LLC**Present: The Honorable **Fernando M. Olguin, United States District Judge****Gabriela Garcia****None Present****Deputy Clerk****Court Reporter / Recorder****Attorneys Present for Plaintiffs:****Attorneys Present for Defendants:****None Present****None Present****Proceedings: (In Chambers) Order to Show Cause Re: Consolidation**

Having reviewed the dockets in Mariano Benitez v. Momentum Capital Group, LLC, CV 23-3129 (JCx) ("Benitez") and Terry Fabricant v. Momentum Business Capital Inc., CV 23-3262 (JCx) ("Fabricant"), IT IS ORDERED THAT:

1. No later than **July 31, 2023**, plaintiff in each case shall file a Memorandum Re: Consolidation ("Memorandum"), no longer than ten pages in length, addressing (1) the extent to which there are similar factual and/or legal issues in Benitez and Fabricant, and (2) whether or not the cases should be consolidated pursuant to Rule 42(a) of the Federal Rules of Civil Procedure.

2. If plaintiffs agree that Benitez and Fabricant should be consolidated, then plaintiffs shall file a Response so indicating.<sup>1</sup>

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<sup>1</sup> Plaintiff in Fabricant is admonished that the deadline to serve defendant Momentum Business Capital Inc. will lapse under Rule 4(m) shortly.